



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 6, 2016

Corrie Kates  
1590 Adams Avenue, #4403  
Costa Mesa, CA 92628-4403

**REGARDING: SUBSTANTIAL CONFORMANCE REVIEW NO. 2016000456-(1)  
4327 CESAR E. CHAVEZ AVENUE (5234-011-036)**

Hearing Officer Patricia Hachiya, by her action of **July 5, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 19, 2016. Appeals must be delivered in person.**

**Appeals:** To file an appeal, please contact:  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Michele Bush of the Zoning Permits East Section at (213) 974-6435, or by email at [mbush@planning.lacounty.gov](mailto:mbush@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Maria Masis, Supervising Regional Planner  
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

MM:MRB

**FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
SUBSTANTIAL CONFORMANCE REVIEW 2016000456-(1)**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Substantial Conformance Review No. 2016000456 on July 5, 2016.
2. The permittee, Pacific Cesar LLC ("permittee"), requests the Substantial Conformance Review to authorize tenant improvements to convert the use of an existing commercial building from an automotive repair garage to an auto loan office ("Project") on a property located at 4327 Cesar E. Chavez Avenue in the unincorporated community of East Los Angeles ("Project Site") in the SP (Specific Plan) zone pursuant to Los Angeles County Code ("County Code") section 22.46.3004.
3. The Project Site is 0.29 acre in size and consists of one legal lot. The Project Site is rectangular in shape with gently sloping topography and is developed with a vacant building, previously used as an automotive repair garage.
4. The Project Site is located in the East Side Unit No. 4 Zoned District and is currently zoned SP (Specific Plan) within the East Los Angeles Third Street Specific Plan.
5. The Project Site is located within the CC (Cesar E. Chavez Avenue) transect zone of the East Los Angeles Third Street Specific Plan.
6. Surrounding Zoning within a 500-foot radius includes:  
  
North: R-2 (Two-Family Residence)  
South: SP  
East: SP  
West: SP
7. Surrounding land uses within a 500-foot radius include:  
  
North: Single and Multi-Family Residential  
South: Single and Multi-Family Residential and School/Church  
East: Commercial  
West: Single and Multi-Family Residential and Commercial
8. The Project site was developed with the existing structure in 1972. The building was constructed for light industrial use. The building was used as an automotive repair garage for more than 20 years.
9. The project is a request for Substantial Conformance Review to authorize tenant improvements to convert the use of an existing commercial building from an automotive repair garage to an auto loan office. The office use will be open year

round, Monday through Saturday between the hours of 10:00 a.m. and 6:00 p.m. (Monday-Friday) and 10:00 a.m. and 1:00 p.m. (Saturday). There will be one shift and two to three employees on duty.

10. The site plan for the Project depicts the existing 6,633 square-foot building with a parking lot at the front of the Project site. Seven parking spaces are provided to serve the proposed use, one ADA accessible space is included. Also depicted on the site plan is a new trash enclosure. Ingress and egress to the Project site is provided by one existing driveway located along East Cesar E. Chavez Avenue.
11. Based on a letter from the County of Los Angeles Department of Public Works, dated May 2, 2016, Public Works has no conditions that need to be applied to this project is ultimately approved by the advisory agency. No conditions were applied to the Project from this Department.
12. Based on an email from the County of Los Angeles Fire Department staff, dated March 30, 2016, the Department has no need to review this project. However, the plans will need to be submitted to the Fire Department's Engineering Section-Building Plan Check Unit for the tenant improvements.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved tenant improvements to an existing structure to be used as an auto loan office.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. No public comments have been received at this time.
16. A duly noticed public hearing was held on July 5, 2016 before Hearing Officer Patricia Hachiya. Following staff's presentation, the Hearing Officer requested a modification be made to the Conditions of Approval, adding a condition to read:

"Landscaping, as proposed on the Exhibit "A", shall be installed within one year of project approval, drought tolerant, properly irrigated, maintained and protected on site."

The applicant's representative, Corrie Kates and the owner's representative, Joshua Shadpour, spoke in favor of the Project. There being no further testimony, the Hearing Officer closed the public hearing and approved the Project.

17. The Hearing Officer finds that the Project site is located within the CC (Cesar E. Chavez Avenue) transect zone of the East Los Angeles Third Street Specific Plan.

This transect zone is intended for a mix of residential, commercial, community-serving, educational and artisan/craft production manufacturing uses. The proposed project is consistent with the uses permissible within the transect zone. Since the improvement will continue a commercial use to support the community.

18. The Hearing Officer finds that the Project is located in the SP (Specific Plan) Zone. Premises in Zone SP may be used for any main use permitted by the specific plan subject to all of the limitations and conditions of the specific plan. Pursuant to Section 22.46.3004 of the County Code, within the East Los Angeles Third Street Form Based Code Specific Plan, the proposed auto loan office use is permissible provided a Substantial Conformance Review has been obtained.
19. The Hearing Officer finds that approval of the project conforms with the applicable provisions of this Form-Based Code and other applicable provisions of Title 22. The proposed auto loan office use is permissible and consistent with the uses within the transect zone.
20. The Hearing Officer finds that approval of the project is in the interest of the public health, safety, and general welfare. The proposed tenant improvements will improve a deteriorated building, improving the area and bringing commerce activity back to the area. The proposed auto loan business will create sales tax through loans provided to the consumer through auto loan services.
21. The Hearing Officer finds that site layout, open space, orientation and location of buildings, vehicular access, circulation and parking, setbacks, heights, and walls and fences are designed to provide a desirable environment within a unifying context that encourages increased pedestrian activity and promotes compatibility among neighboring land uses. The structure has existed on the Project site for more than 40 years. There are no additions proposed that would alter the existing setbacks. The proposed use would allow for an increase in pedestrian activity and the use is compatible with land uses in the surrounding neighborhood.
22. The Hearing Officer finds that architectural character, scale, quality of design, building materials, colors, screening of exterior appurtenances, and signs are designed to ensure compatibility of the development with the Form-Based Code and the character of the neighborhood. The existing building is constructed of CMU block and will be painted complementary colors to the existing commercial businesses in the area. The existing auto bay doors will be removed and standard store front, glass doors will be installed.
23. The Hearing Officer finds that project landscaping, including its location, type, size, color, texture, and coverage of plant materials at the time of planting are designed and developed to provide visual interest, complement buildings and structures, and provide an attractive environment for the public. The project landscaping shall also include measures to provide for irrigation, maintenance, and protection of the landscaped areas. The Project site is fully developed and built out. A new planter box is proposed for the site, along the east side of the driveway.

24. The Hearing Officer finds that parking areas are designed and developed to buffer surrounding land uses, complement pedestrian-oriented development, enhance the environmental quality of the site such as to minimize stormwater run-off and the heat-island effect, and achieve a safe, efficient, and harmonious development. All parking is located on the site within an existing block wall along the front of the property, which also acts as a retaining wall.
25. The Hearing Officer finds that lighting and lighting fixtures are designed to complement buildings, are of appropriate scale, avoid creating glare, and provide adequate light over walkways and parking areas to foster pedestrian safety. Proposed lighting will comply with the California Building Code and any local ordinances to reduce any glare. The project will be designed to the appropriate scale to avoid creating glare and will provide adequate light over walkways as needed or deemed necessary and parking areas to foster pedestrian safety. Lighting shall be arranged to prevent glare or direct illumination on any residential property.
26. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of East Los Angeles community. On May 9, 2016, a total of 80 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as seven notices to those on the courtesy mailing list for the East Side Unit No. 4 Zoned District and to any additional interested parties.
27. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. Approval of the project conforms with the applicable provisions of this Form-Based Code and other applicable provisions of Title 22.
- B. Approval of the project is in the interest of the public health, safety, and general welfare.
- C. Site layout, open space, orientation and location of buildings, vehicular access, circulation and parking, setbacks, heights, and walls and fences are designed to provide a desirable environment within a unifying context that encourages increased pedestrian activity and promotes compatibility among neighboring land uses.

- D. Architectural character, scale, quality of design, building materials, colors, screening of exterior appurtenances, and signs are designed to ensure compatibility of the development with the Form-Based Code and the character of the neighborhood.
- E. Project landscaping, including its location, type, size, color, texture, and coverage of plant materials at the time of planting are designed and developed to provide visual interest, complement buildings and structures, and provide an attractive environment for the public. The project landscaping shall also include measures to provide for irrigation, maintenance, and protection of the landscaped areas.
- F. Parking areas are designed and developed to buffer surrounding land uses, complement pedestrian-oriented development, enhance the environmental quality of the site such as to minimize stormwater run-off and the heat-island effect, and achieve a safe, efficient, and harmonious development.
- G. Lighting and lighting fixtures are designed to complement buildings, are of appropriate scale, avoid creating glare, and provide adequate light over walkways and parking areas to foster pedestrian safety.

**THEREFORE, THE HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1 Existing Facilities categorical exemption); and
2. Approves Substantial Conformance Review Number 2016000456-(1), subject to the attached conditions.

**ACTION DATE: July 5, 2016**

MM:MRB  
07/05/16

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
SUBSTANTIAL CONFORMANCE REVIEW  
RPPL 2016000456-(1)**

**PROJECT DESCRIPTION**

The project is a request to authorize tenant improvement to convert the use of an existing commercial building from an automotive repair garage to an auto loan office subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4 and 5 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.

12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **September 5, 2016**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PROJECT SITE SPECIFIC CONDITIONS**

18. This grant shall authorize the tenant improvements to convert the use of an existing commercial building from an automotive repair garage to an auto loan office.
19. Outdoor lighting shall confine glare and reflections to the boundaries of the site. Each light source shall be shielded and directed away from any adjoining properties and public rights-of-way.

20. All business associated with the proposed use shall be conducted and located within the existing enclosed building.
21. Outdoor fixtures such as tables, chairs, umbrellas, landscape pots, valet stations, bicycle racks, planters, benches, bus shelters, kiosks, and waste receptacles are allowed in connection with the proposed use.
22. The following outdoor structures are prohibited when located outdoors of a non-residential use and clearly visible from the street: donation boxes for collecting goods; machines such as, but not limited to, photo booths, penny crunching machines, blood pressure machines, fortune-telling machines, video games, animated characters and other such machines that are internally illuminated, or have moving parts, make noise, and/or have flashing lights; inanimate figures such as statues or sculptures of horses, kangaroos, bears, gorillas, or similar animals, and mannequins, cartoon figures, or human figures.
23. Landscaping, as proposed on the Exhibit "A", shall be installed within one year of project approval, drought tolerant, properly irrigated, maintained and protected on site.
24. The permittee shall obtain proper permits from the Department of Public Works' Building and Safety Division for the tenant improvements.

**Attachments:**

Correspondence from the County of Los Angeles Fire Department and Department of Public Works